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SUMMARY RECORD OF THE 52nd MEETING

Chairman: Mrs. ESPINOSA (Mexico)

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The meeting was called to order at 10.45 a.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued)

- (b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/51/L.36, L.45, L.46, L.47, L.48/Rev.1, L.50, L.52, L.54, L.56, L.57, L.58, L.60, L.62, L.65, L.70 and L.71)
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1. The CHAIRMAN said that she would suspend the meeting until all the documents for consideration had been made available to delegations.

The meeting was suspended at 10.45 a.m. and resumed at 11.25 a.m.

2. The CHAIRMAN said that some delegations had expressed concern that changes made by editors in certain draft resolutions had affected the delicate balance in the wording. The correct version of the draft resolutions in question would be reflected in the Committee's report to the General Assembly.

3. Ms. NEWELL (Secretary of the Committee) said that, with the exception of draft resolution A/C.3/51/L.39, none of the draft resolutions before the Committee had any programme budget implications.

Draft resolution A/C.3/51/L.56 on the situation of human rights in Cambodia

4. Ms. KERR (Australia), introducing draft resolution A/C.3/51/L.56 on behalf of the sponsors, who had been joined by Finland, Honduras, Monaco and the United States of America, said that it was based on the consensus language of previous General Assembly and Commission on Human Rights resolutions and took into account the conclusions and recommendations of the Secretary-General's Special Representative for human rights in Cambodia. The international community was committed to assisting Cambodia in its efforts to promote and protect the human rights of its people. Although there had been improvements in the situation in that country, the international community acknowledged that the task of ensuring the observance of human rights in Cambodia was enormous and would take some time.

5. The CHAIRMAN said that the Netherlands also wished to sponsor the draft resolution.

Draft resolution A/C.3/51/L.60 on a culture of peace

6. Mr. CASTANEDA-CORNEJO (El Salvador), introducing draft resolution A/C.3/51/L.60 on behalf of the sponsors, said that Mauritania, Micronesia, the Republic of Moldova and the Russian Federation had also become sponsors. The transdisciplinary project entitled "Towards a Culture of Peace" aimed at finding new ways to promote human rights, democracy, tolerance, dialogue and reconciliation and to prevent violence and conflict. Positive results had been achieved in national programmes undertaken by the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Burundi, the Congo, El Salvador, Guatemala, Mozambique, the Philippines, Rwanda and Somalia, where they had been planned and were being implemented with the participation of all parties concerned.

7. The draft resolution, inter alia, requested the Secretary-General, in coordination with the Director-General of UNESCO, to report to the General Assembly at its fifty-second session on its implementation and on the progress of educational activities within the framework of the transdisciplinary project, including the preparation of elements for a draft provisional declaration and programme of action. The sponsors hoped that the draft resolution would be adopted by consensus.

8. The CHAIRMAN said that Afghanistan, Burkina Faso, the Marshall Islands, Mauritania, The former Yugoslav Republic of Macedonia and Togo had joined the sponsors of the draft resolution.

Draft resolution A/C.3/51/L.62 on regional arrangements for the promotion and protection of human rights

9. Mr. ROLAND (Belgium) introduced draft resolution A/C.3/51/L.62 on behalf of the sponsors, who had been joined by Australia, Japan, Portugal and Ukraine. Since 1982, Belgium had emphasized repeatedly the importance of enhanced cooperation between regional and international institutions concerned with the universal promotion of human rights. International and regional activities in that field should be mutually reinforcing.

10. The draft resolution welcomed the close cooperation of the High Commissioner for Human Rights/Centre for Human Rights in the organization of regional and subregional activities for the promotion and protection of human rights, requested the Secretary-General to continue to strengthen exchanges between the United Nations and regional intergovernmental organizations dealing with human rights and invited States in areas where regional arrangements in the field of human rights did not yet exist to consider concluding such arrangements. The sponsors hoped that the draft resolution would be adopted without a vote.

11. The CHAIRMAN said that the Czech Republic, Lithuania and Togo had joined the sponsors of the draft resolution.

Draft resolution A/C.3/51/L.65 on human rights and unilateral coercive measures

12. Mr. REZVANI (Islamic Republic of Iran), introducing draft resolution A/C.3/51/L.65 on behalf of the sponsors, said that the reason for the draft

resolution was the devastating impact of unilateral coercive measures on the enjoyment of human rights in developing countries. The General Assembly could not remain silent at the gross and systematic violations of the economic, social and cultural rights of the populations of developing countries caused by such measures, which were in flagrant violation of international law.

13. The draft resolution urged all States to refrain from adopting or implementing any unilateral measure not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature, and requested the United Nations High Commissioner for Human Rights to give urgent consideration to the resolution in his annual report to the General Assembly. In view of the importance of the issue, the sponsors hoped that the draft resolution would be adopted by consensus.

14. Mr. XU Haichao (China) and Mr. AL-HUMAIMIDI (Iraq) said that they also wished to sponsor the draft resolution.

Draft resolution A/C.3/51/L.71 on the strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

15. Mr. REYES RODRIGUEZ (Cuba), introducing draft resolution A/C.3/51/L.71 on behalf of the sponsors, said that it reaffirmed the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, reiterated that all peoples had the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, invited Member States to consider adopting measures to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms and requested the Commission on Human Rights to consider further proposals for the strengthening of United Nations action in the human rights field. A revised text of the draft resolution, incorporating certain changes proposed by a group of delegations, had been submitted to the Secretariat. The Dominican Republic, Egypt, El Salvador, Ghana, Lesotho and the Sudan had joined the sponsors, who hoped that the draft resolution would be adopted by consensus.

16. The CHAIRMAN said that Burundi, Rwanda and Togo also wished to sponsor the draft resolution.

Draft resolution A/C.3/51/L.63 on the situation of human rights in Cuba

17. Mr. SCASSA (United States of America), introducing draft resolution A/C.3/51/L.63 on behalf of the sponsors, said that Bulgaria and the Republic of Moldova had also become sponsors. The draft resolution sought to address the serious violations of human rights and fundamental freedoms identified in the interim report of the Special Rapporteur on the situation of human rights in Cuba. It called upon the Government of Cuba to cooperate fully with the Special Rapporteur, urged it to ensure freedom of expression and assembly and the freedom to demonstrate peacefully and called upon it to carry out the recommendations contained in the interim report of the Special Rapporteur to bring its observance of human rights and fundamental freedoms in Cuba into conformity with international standards. The draft resolution had the support

of a large number of delegations and he hoped that it would receive even broader support.

18. The CHAIRMAN said that The former Yugoslav Republic of Macedonia had joined the sponsors of the draft resolution.

Draft resolution A/C.3/51/L.66 on rape and abuse of women in the areas of armed conflict in the former Yugoslavia

19. Mr. KHAN (Pakistan), introducing the draft resolution on behalf of the original sponsors and Costa Rica, Djibouti, Nepal, New Zealand, Singapore, The former Yugoslav Republic of Macedonia and the United States of America, said that it addressed the egregious practice of rape and abuse of women in the former Yugoslavia, in particular the use of rape as a weapon of war in pursuance of the policy of ethnic cleansing. Rape used in the conduct of an armed conflict was a war crime and, under certain circumstances, a crime against humanity. The draft resolution called upon States to take measures for the protection of women and children against such acts and to bring the perpetrators to justice.

20. The beginning of the sixth preambular paragraph had been amended to read "Convinced that the heinous practice of rape, in fulfilling the policy of ethnic cleansing, constitutes ..." and the phrase ", including by providing full access" had been added at the end of paragraph 10, after the word "Europe". The sponsors hoped that the draft resolution would be adopted by consensus.

21. The CHAIRMAN said that Afghanistan, Andorra, Costa Rica, the Czech Republic, Liechtenstein, Mauritania, Panama, Qatar, the Republic of Korea, Solomon Islands and Yemen had become sponsors of the draft resolution.

Draft resolution A/C.3/51/L.68 on the situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)

22. Mr. KUEHL (United States of America), introducing the draft resolution on behalf of the original sponsors and Chile, Kuwait, Malaysia, Monaco, New Zealand and Senegal, said that the countries named in the draft resolution were in the middle of a long journey which everyone hoped would take them to peace, respect for human rights, ethnic reconciliation and normalization of relations. His Government had been pleased to play an important role in starting those countries down that road.

23. A number of minor revisions would be introduced when the Committee took action on the draft resolution, which his delegation believed would be adopted by consensus.

24. The CHAIRMAN said that Australia, Canada, Costa Rica and San Marino had become sponsors of the draft resolution.

Draft resolution A/C.3/51/L.69 on the situation of human rights in Myanmar

25. Ms. NEWELL (Secretary of the Committee) said that the beginning of paragraph 17 should be amended to read: "Requests the Secretary-General to

continue his discussions with the Government of Myanmar in order to assist in the implementation of the present resolution and in its efforts for national reconciliation and to report ...".

26. Mr. OSVALD (Sweden), introducing the draft resolution on behalf of the original sponsors and Monaco, said that the resolution deplored the continued violations of human rights in Myanmar, including extrajudicial, summary or arbitrary executions, torture, arbitrary arrest and detention and deaths in custody, as well as severe restrictions on freedoms of opinions, expression, assembly and association.

27. He welcomed the assurances given recently to the Committee by the representative of Myanmar that the Special Rapporteur of the Commission on Human Rights would be given an opportunity to visit that country.

Draft resolution A/C.3/51/L.67 on the comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

28. Mr. THEUERMANN (Austria), introducing the draft resolution on behalf of the original sponsors and Albania, Belarus, Costa Rica, Luxembourg and Panama, drew attention to the fact that Chile had been erroneously omitted from the list of sponsors, and said that paragraph 7 had been deleted.

29. The draft resolution was based upon the conviction, expressed repeatedly by the General Assembly, that the Vienna Declaration and Programme of Action must be translated into effective action by States, the competent United Nations organs and organizations and other organizations concerned, including non-governmental organizations.

30. The CHAIRMAN said that Croatia, the Czech Republic, the Dominican Republic, France, Kenya, Pakistan, Papua New Guinea, the Philippines, San Marino, Solomon Islands and Zambia had become sponsors of the draft resolution.

The meeting rose at 12.25 p.m.

The meeting was called to order at 3.25 p.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued)

- (b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/51/L.36, L.45, L.46, L.47, L.48/Rev.1, L.50, L.52, L.54, L.57, L.58 and L.70)

Draft resolution A/C.3/51/L.70: United Nations Decade for Human Rights Education and public information activities in the field of human rights

1. Ms. DE WET (Namibia) introduced draft resolution A/C.3/51/L.70 on behalf of the sponsors, who had been joined by Chile, Ethiopia, Fiji, Italy, Nepal, Nigeria, Portugal, the Republic of Korea, Suriname, Swaziland and Tunisia. Convinced that education and public information activities in the field of human rights were prerequisites for the full and effective enjoyment of all human rights and fundamental freedoms, the three main sponsors, Australia, Costa Rica and Namibia, had decided to draft a single text combining two previous General Assembly resolutions on that issue. Following consultations, numerous amendments had been made to the text; the revised text would be distributed shortly as document A/C.3/51/L.70/Rev.1. The sponsors hoped that the draft resolution would be adopted without a vote.

2. Ms. TAVARES DE ALVAREZ (Dominican Republic), Mr. DE ROJAS (Venezuela), Mr. KHAN (Pakistan), Ms. WILLIAMS-STEWART (Samoa) and Mr. HOANSOU (Benin) said that their delegations wished to join the list of sponsors of the draft resolution.

3. The CHAIRMAN announced that Bosnia Herzegovina, the former Yugoslav Republic of Macedonia, Guatemala, Guinea-Bissau, Peru and Ukraine also wished to join the list of sponsors.

Draft resolution A/C.3/51/L.36: Respect for the right to universal freedom of travel and the vital importance of family reunification

4. The CHAIRMAN said that the draft resolution had no budgetary implications and that a recorded vote had been requested.

5. A recorded vote was taken on draft resolution A/C.3/51/L.36.

In favour: Afghanistan, Algeria, Angola, Armenia, Bahrain, Bangladesh, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Mali, Mauritania, Mexico, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New

Guinea, Paraguay, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tunisia, Turkey, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Canada, Japan, United States of America.

Abstaining: Albania, Andorra, Antigua-Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Equatorial Guinea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Italy, Jordan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Malta, Marshall Islands, Mauritius, Micronesia (Federated States of), Monaco, Mongolia, Netherlands, New Zealand, Norway, Panama, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sweden, Thailand, The former Yugoslav Republic of Macedonia, Togo, Trinidad-Tobago, Ukraine, United Arab Emirates, United Kingdom, Uzbekistan.

6. Draft resolution A/C.3/51/L.36 was adopted by 79 votes to 3, with 75 abstentions.

7. Ms. TAMLYN (United States of America), speaking in explanation of vote after the voting, said that her country recognized many fundamental rights relating to freedom of travel, specifically the right to travel within one's own country and to freely leave or return to it. The country which had introduced draft resolution L.36 was in no position to preach to anybody about that issue since its citizens were still required to pay exorbitant sums of money in foreign currency to be able to emigrate and had to prove their political loyalty to the current regime in order to be able to travel abroad.

8. Mr. LILLO (Chile) said that his delegation had voted in favour of the draft resolution because it had always attached importance, both in the Commission on Human Rights and in the General Assembly, to the rights of migrants. However, his delegation regretted the fact that the text did not mention the right of every person to leave any country, including his own, as provided for in article 13 of the Universal Declaration of Human Rights, and article 12 of the International Covenant on Civil and Political Rights.

9. Mr. DE ROJAS (Venezuela) said that the draft resolution reflected the norms and principles of the Universal Declaration of Human Rights and other international instruments such as the International Covenant on Civil and Political Rights and his delegation had therefore voted for the text. The Venezuelan delegation regretted, however, that certain paragraphs of the resolution were not in keeping with the rules of law in effect in many countries, especially in receiving countries which had concluded bilateral agreements aimed at controlling migratory flows. He hoped that that comment would be considered in future General Assembly resolutions on that subject.

10. Ms. DIAZ (Mexico) said that her delegation had voted for the draft resolution, because certain parts of the text were particularly important for the promotion of the rights of migrants. However, she wished to emphasize that the right to freedom of travel, as provided for in article 13 of the Universal Declaration of Human Rights, applied to all persons, not just migrants.

11. Ms. LIMJUCO (Philippines) said that her delegation had voted in favour of the draft resolution because the latter upheld universal freedom of travel and the right of migrants to live with their family.

12. Mr. REYES RODRIGUEZ (Cuba) deplored the unconstructive stance of the United States delegation on the draft resolution. Referring to article 13 of the Universal Declaration of Human Rights, the Cuban representative invited the United States Government to lift the restrictions which it imposed, in contravention of the right of freedom of travel, on its own citizens who wished to travel to Cuba. He invited that Government also to lift the restrictions on Cuban nationals residing in the United States who wished to return to their country or to send money to their families that had remained in Cuba.

Draft resolution A/C.3/51/L.45: Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

13. The CHAIRMAN said that the draft resolution had no programme budget implications. She announced that Albania, Australia, Belarus, Cape Verde, Costa Rica, Croatia, El Salvador, Fiji, Georgia, Greece, Latvia, Malta, the Marshall Islands, Norway and the Solomon Islands had become sponsors of the draft resolution.

14. Mr. THEUERMANN (Austria) said that Burundi, Ethiopia, Finland, San Marino and the United States had also joined the list of sponsors of the draft resolution.

15. Draft resolution A/C.3/51/L.45 was adopted without a vote.

Draft resolution A/C.3/51/L.46: Human rights questions: extrajudicial, summary or arbitrary executions

16. The CHAIRMAN said that the draft resolution had no programme budget implications and that Andorra, Benin, San Marino, Senegal, Slovakia and the Former Yugoslav Republic of Macedonia had become sponsors of the draft resolution.

17. Mr. RYTÖVUORI (Finland) pointed out two corrections that should be made to the draft resolution. In paragraph 3, the words "all alleged" should be replaced by the words "all suspected cases of." Moreover, paragraph 8 should be placed after paragraph 4, and the other paragraphs renumbered. He hoped that the draft resolution could be adopted without a vote.

18. Ms. NEWELL (Secretary of the Committee) said that the required corrections would be made. Moreover, as Algeria had requested, the French version would be corrected so as to bring it into line with the English version.

19. Draft resolution A/C.3/51/L.46 was adopted without a vote.

Draft resolution A/C.3/51/L.47: Elimination of all forms of religious intolerance

20. The CHAIRMAN said that the draft resolution had no programme budget implications and that the following countries had become sponsors: Albania, Andorra, Argentina, Burundi, Croatia, Fiji, Georgia, India, Liechtenstein, Malta, the Marshall Islands, Panama, Papua New Guinea, Poland, Romania, the Former Yugoslav Republic of Macedonia and Ukraine.

21. Mr. BIGGAR (Ireland) said that Australia, Bosnia and Herzegovina, Norway, the Republic of Moldova, San Marino and the United States of America had joined the list of sponsors of the draft resolution. In addition, the draft resolution should be amended in the following manner: the expression "religious extremism" in the eighth preambular paragraph and in paragraph 4 should be replaced by the expression "religious intolerance", in accordance with the consensus reached on that point in Geneva at the most recent session of the Commission on Human Rights. He hoped that the revised draft resolution would be adopted without a vote.

22. Draft resolution A/C.3/51/L.47 was adopted without a vote.

Draft resolution A/C.3/51/L.48/Rev.1: Question of enforced or involuntary disappearances

23. The CHAIRMAN invited the Committee to consider draft resolution A/C.3/51/L.48/Rev.1. She said that it had no programme budget implications and that the following countries had joined the list of sponsors: Albania, Benin, Mauritius, Pakistan, the Former Yugoslav Republic of Macedonia.

24. Draft resolution A/C.3/51/L.48/Rev.1 was adopted without a vote.

Draft resolution A/C.3/51/L.50: Follow-up to the United Nations Year for Tolerance

25. The CHAIRMAN invited the Committee to consider draft resolution A/C.3/51/L.50. She said that the draft resolution had no programme budget implications.

26. Mr. ARDA (Turkey) said that the delegation of Kazakhstan had indicated that it had become a sponsor of the draft resolution. He also pointed out that paragraph 3 of the draft resolution should include the words "(Republic of Korea)", after "Seoul", the word "(India)" after "New Delhi" and the word "(Georgia)" after "Tbilisi". The English text of the draft resolution should read "Tbilisi", without an apostrophe, and not "T'bilisi."

27. The CHAIRMAN said that the following countries had joined the list of sponsors of the draft resolution: Burundi, Costa Rica, the Dominican Republic,

Guinea-Bissau, Malaysia, Mauritius, Mongolia, Niger, Pakistan, Papua New Guinea, the Philippines and Rwanda.

28. Draft resolution A/C.3/51/L.50 was adopted without a vote.

29. Mr. MEKDAD (Syrian Arab Republic) said that his delegation represented a country whose relations with other countries had always been based on tolerance. For that reason, it had joined in the consensus on draft resolution A/C.3/51/L.50. It nevertheless wished to clarify its position on certain concepts that could not be fully considered during the elaboration of the Declaration of Principles on Tolerance and of the Follow-up Plan of Action for the United Nations Year for Tolerance, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 16 November 1995.

30. For the Syrian Arab Republic, tolerance did not mean violation of the principles of the Charter of the United Nations or of international humanitarian law; it did not mean standing silent in the face of aggression and the occupation of land belonging to other peoples; tolerance did not mean accepting fanaticism, organized massacres, the appropriation of other people's land by force, the expulsion of the owners of such lands and confiscation of their property; tolerance was incompatible with the use of force and with intransigence, which could never prevail over the law.

31. The subject of terrorism had been dealt with only in very general terms in the aforementioned Declaration and Plan of Action, and no distinction had been drawn between terrorism and the just struggle of peoples against foreign occupation. The Syrian Arab Republic had always condemned terrorism in all its forms and had always called for action to combat it. It had supported the United Nations resolutions that condemned terrorism, in accordance with the Charter of the United Nations, the principles of international law and the Vienna Declaration and Programme of Action, as well as the General Assembly's Declaration on the Occasion of the Fiftieth Anniversary of the United Nations.

32. With regard to racial discrimination, his delegation naturally condemned racial violence, xenophobia and racism, but could not accept a failure to take account of the flagrant violations of the rights of peoples represented by colonialism, foreign occupation, genocide, ethnic cleansing, and the hatred voiced of Arabs, Africans, Asians and the peoples of Latin America, all issues which were not broached in the Declaration of Principles on Tolerance. The Declaration, in its second part, referred only to a single religious and ethnic group, which was also the only one referred to in paragraph 18 of the Plan of Action.

33. That said, his delegation reaffirmed that it would respect the provisions of the Declaration of Principles on Tolerance and the Plan of Action, since it intended to contribute to the quest for effective solutions to the problems of today's world.

Draft resolution A/C.3/51/L.52: Strengthening of the rule of law

34. The CHAIRMAN invited the Committee to consider draft resolution A/C.3/51/L.52; there were no programme budget implications.

35. MR. TAVARES (Brazil) said that the following countries had joined the sponsors of the draft resolution: Bosnia and Herzegovina, Ethiopia, Mali and the United Kingdom of Great Britain and Northern Ireland. Burundi, however, was not a sponsor.

36. The CHAIRMAN announced that the following countries had also joined the sponsors: Belgium, Congo, Fiji, Haiti, Kenya, Lesotho, Madagascar, Malta, Marshall Islands, Mongolia, Morocco, Poland, San Marino, Samoa and Ukraine.

37. Draft resolution A/C.3/51/L.52 was adopted.

Draft resolution A/C.3/51/L.54: Human rights and extreme poverty

38. The PRESIDENT invited the Committee to consider draft resolution A/C.3/51/L.54; there were no programme budget implications. Belgium, Benin, Bhutan, Burundi, Fiji, Guinea, Indonesia, Mongolia, Niger and Rwanda had joined the sponsors.

39. Mr. BARRETO (Peru) said that Italy and Madagascar had also joined the sponsors of the draft resolution.

40. Draft resolution A/C.3/51/L.54 was adopted.

Draft resolution A/C.3/51/L.57: Right to development

41. The CHAIRMAN invited the Committee to consider draft resolution A/C.3/51/L.57; there were no programme budget implications. Croatia, Fiji, Kenya (on behalf of the member countries of the Non-Aligned Movement), Marshall Islands and Portugal had joined the sponsors.

42. Ms. NEWELL (Secretary of the Committee) said that the word "effort", in the penultimate line of paragraph 8, should be in the plural.

43. Draft resolution A/C.3/51/L.57 was adopted.

The meeting was suspended at 4.45 p.m. and resumed at 5.45 p.m.

Draft resolution A/C.3/51/L.58: Enhancement of international cooperation in the field of human rights

44. Mr. BORDA (Colombia), speaking on behalf of the Non-Aligned Movement, said that in the negotiations on the draft resolution the various groups had not achieved a consensus, notwithstanding the formulation of specific proposals. The sponsors proposed to revise the text in the following way: in paragraph 2, by replacing the words "Requests the Chairman of" with "Invites"; and by deleting the phrase "in carrying out the task assigned to him".

45. Mr. BIGGAR (Ireland), speaking on behalf of the European Union, said that his delegation had taken part in the consultations with a view to attaining consensus on the draft resolution. Unfortunately, the consultations had not achieved that result. The proposed text, which was too vague, should have been considered further. The European Union could support it only if the following

amendments were accepted: to merge the first two preambular paragraphs into one, reading: "Recognizing that international cooperation for the promotion and protection of human rights is essential for the achievement of the purposes of the Charter of the United Nations". The third preambular paragraph, which would now become the second, would read: "Encouraging the Working Group on Human Rights of the Third Committee to continue its efforts with a view to accomplishing its mandate before the conclusion of the fifty-first session of the General Assembly". If consensus could not be reached on those amendments, the European Union would vote against the draft resolution.

46. Mr. BORDA (Colombia) said that the proposal made by the European Union was the same as that which it had put forward in informal consultations, and which had been rejected. He called on the Committee to take a decision on the original text, as orally revised by his delegation.

47. Mr. BIGGAR (Ireland) said that it was unfortunate that the Non-Aligned Movement had not taken the proposal by the European Union into account. He requested a recorded vote.

48. The CHAIRMAN said that the draft resolution had no programme budget implications. She invited those delegations wishing to speak in explanation of vote before the vote to take the floor.

49. Ms. TAMLYN (United States of America) said that she supported the statement made by the delegation of Ireland on behalf of the European Union. More time should have been given to the consideration of the draft resolution. Furthermore, since it concerned international cooperation, the draft resolution should have been drawn up by all the regional groups. For those reasons, the United States would vote against the draft resolution.

50. Mr. DEKANY (Hungary) said that his delegation supported the view expressed by Ireland and the European Union. Underscoring his country's commitment to international cooperation, he expressed concern at the fact that that question, which should be the subject of a consensus, had become a source of discord and that the time allocated for consultations had not sufficed in order to resolve the differences of opinion. Under those conditions, his delegation would vote against draft resolution A/C.3/51/L.58.

51. Mr. RAMISCHVILI (Russian Federation) urged the sponsors of the draft resolution to consider postponing the taking of a decision on the text in question. He stressed the importance of the issue under consideration and said that it involved the authority itself of the Third Committee.

52. Mr. KULYK (Ukraine) said that he supported the proposal by the Russian Federation.

53. Mr. BORDA (Colombia), speaking on point of order, pointed out that the voting process had begun and must continue in accordance with the rules of procedure.

54. Ms. CASTRO DE BARISH (Costa Rica) said that, since it was not possible to take a decision on the proposal by Ireland, her delegation would not participate in the vote on draft resolution A/C.3/51/L.58.

55. At the request of Ireland, a recorded vote was taken on draft resolution A/C.3/51/L.58.

In favour: Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cape Verde, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Ethiopia, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Armenia, Azerbaijan, Belarus, Benin, Bosnia and Herzegovina, Cyprus, El Salvador, Fiji, Georgia, Kazakhstan, Panama, Paraguay, Russian Federation, Uruguay.

56. Draft resolution A/C.3/51/L.58 was adopted by 94 votes to 38, with 15 abstentions.

57. Mr. AQUARONE (Netherlands), speaking in explanation of vote after the vote, said that he supported Ireland, which had endeavoured to take account of the concerns of all groups. It was ironic that consensus had not been reached on a draft resolution dealing with international cooperation. That question had already been considered in Geneva and it was regrettable that the sponsors of the draft resolution had not accepted the proposal by the European Union. One might wonder how cooperation in the field of human rights could be ensured under such conditions.

58. Ms. SMOLCIC (Uruguay) said that her delegation reserved the right to make a statement in a plenary session of the General Assembly on the item dealt with in the draft resolution.

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/C.3/51/L.40, L.49 and L.55)

59. The CHAIRMAN said that the sponsors of draft resolution A/C.3/51/L.40 had requested the Committee to defer taking action on the text to subsequent meeting.

Draft resolution A/C.3/51/L.49: Situation of human rights in Afghanistan

60. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/51/L.49, which did not have any programme budget implications. In paragraph 10 of the draft resolution, the word "Mohammed" before the word "Najibullah" should be deleted.

61. Mr. ALAIDEROOS (Yemen) said that, as in the past, his delegation would not participate in a vote on draft resolutions on the human rights situation in specific countries. He wished to reserve his delegation's right to express its position in a plenary meeting of the General Assembly.

62. Draft resolution A/C.3/51/L.49 was adopted without a vote.

Draft resolution A/C.3/51/L.55: Human rights in Haiti

63. Mr. de ROJAS (Venezuela) said that Finland had joined the sponsors of the draft resolution.

64. The CHAIRMAN said that the draft resolution under consideration had no programme budget implications and that Austria, Belgium and Iceland had joined the sponsors. Mexico had been one of the initial sponsors. Chad, on the other hand, had been mistakenly included in the list of sponsors.

65. Draft resolution A/C.3/51/L.55 was adopted without a vote.

66. Mr. ESPECA (Haiti) expressed satisfaction at the adoption of the draft resolution. Since its return to constitutional order in October 1994, a new Haiti was being built on the basis of respect for human rights and fundamental freedoms. That was not an easy task in view of the state of collapse of the Haitian economy. Nevertheless, the improvements noted by the independent expert of the Commission on Human Rights and by others, including the group of friends of the Secretary-General, reflected the political changes under way in Haiti. The adoption of the draft resolution confirmed the continuation of the democratic process in the country.

(e) REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (continued) (A/C.3/51/L.42)

Draft resolution A/C.3/51/L.42: Report of the United Nations High Commissioner for Human Rights

67. The CHAIRMAN said that the draft resolution had no programme budget implications. Austria, Barbados, Belarus, Belgium, Greece, Italy, Malta, Slovakia and South Africa had joined the sponsors of the draft resolution.

68. Ms. MARTÍNEZ (Ecuador) said that the Bahamas, Bangladesh, France, Lithuania, Spain and the United States of America had joined the sponsors.

69. Ms. NEWELL (Secretary of the Committee) said that a correction had been made in the text of the draft resolution: in paragraph 3, the expression "Expresses its satisfaction" should be replaced by the words "Expresses its appreciation".

70. Ms. OUEDRAOGO (Burkina Faso) pointed out that the title of the draft resolution had been omitted in the French text.

71. Draft resolution A/C.3/51/L.42 as revised, had been adopted without a vote.

72. The CHAIRMAN said that the Committee had concluded its consideration of agenda item 110 (e).

The meeting rose at 3.15 p.m.

UNITED NATIONS
General Assembly
FIFTY-FIRST SESSION
Official Records

THIRD COMMITTEE
54th meeting
held on
Wednesday, 27 November 1996
at 10 a.m.
New York

SUMMARY RECORD OF THE 54th MEETING

Chairman:

Mrs. ESPINOSA

(Mexico)

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The meeting was called to order at 10.30 a.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS (continued)

- (b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/C.3/51/L.56, L.60, L.62, L.65 and L.71/Rev.1)
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- (d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/C.3/51/L.67)

Draft resolution A/C.3/51/L.56 on the situation of human rights in Cambodia

- 1. The CHAIRMAN said that draft resolution A/C.3/51/L.56 had no programme budget implications and that Costa Rica, Denmark, Finland, Germany, Honduras, Iceland, Luxembourg, Monaco, Netherlands, Poland, Portugal and the United States had become sponsors.
- 2. Draft resolution A/C.3/51/L.56 was adopted without a vote.

Draft resolution A/C.3/51/L.60 on a Culture of Peace

- 3. The CHAIRMAN said that draft resolution A/C.3/51/L.60 had no programme budget implications and that Afghanistan, Burkina Faso, Fiji, Guyana, Mali, Marshall Islands, Mauritania, Mauritius, Micronesia, Moldova, Russian Federation, Sudan, The former Yugoslav Republic of Macedonia and Togo had become sponsors.
- 4. Draft resolution A/C.3/51/L.60 was adopted without a vote.

5. Mrs. LIMJUCO (Philippines), supported by Mr. GUEYE (Senegal), Mr. CHOWDHURY (Bangladesh), Mrs. CASTRO de BARISH (Costa Rica), Mr. GUILLEN (Peru), Mrs. BENNANI AKHAMLISH (Morocco) and Mr. CARRANZA (Guatemala), requested that, since the culture of peace was a concept that transcended any one area of human interest or endeavour, it should be treated as a separate, independent item on the agenda of the General Assembly.

Draft resolution A/C.3/51/L.62 on regional arrangements for the promotion and protection of human rights

- 6. The CHAIRMAN said that draft resolution A/C.3/51/L.62 had no programme budget implications and that Australia, Benin, Czech Republic, Japan, Lithuania, New Zealand, Poland, Portugal, The former Yugoslav Republic of Macedonia, Togo and Ukraine had become sponsors.
- 7. Mr. ROLAND (Belgium) said that the phrase "at inviting States ... human rights bodies" at the end of paragraph 3 should be revised to read "at

identifying obstacles to ratification of the principal international human rights treaties and strategies to overcome them".

8. Draft resolution A/C.3/51/L.62, as orally revised, was adopted without a vote.

Draft resolution A/C.3/51/L.65 on human rights and unilateral coercive measures

9. The CHAIRMAN said that draft resolution A/C.3/51/L.65 had no programme budget implications and that China, Iraq and the Sudan had become sponsors.

10. Mr. REZVANI (Islamic Republic of Iran) said that the word "negative" should be deleted from the eighth preambular paragraph, and that paragraph 2 should be revised to read: "Rejects unilateral coercive measures with all their extraterritorial effects as tools ...".

11. The CHAIRMAN said that a recorded vote had been requested on the draft resolution.

12. Mr. REZVANI (Islamic Republic of Iran), speaking in explanation of vote before the voting, reiterated his delegation's view that the General Assembly could no longer afford to ignore the negative impact of unilateral coercive measures on the peoples of an increasing number of developing countries. A majority of countries of the Non-Aligned Movement had pledged their support for the draft resolution.

13. Mr. BYRNE (Ireland), speaking on behalf of the European Union, reiterated that the European Union rejected attempts to apply national legislation on an extraterritorial basis. Since a similar text was already under consideration in the General Assembly, however, it felt that consideration of the draft resolution now before the Third Committee was unnecessary. The European Union also wished to make a clear distinction between measures imposed unilaterally by individual States and measures imposed with the full authority of the Security Council. It would therefore vote against the draft resolution.

14. Mr. KONDI (Albania) said that his delegation reserved the right to state its position on the draft resolution in the plenary Assembly.

15. Mrs. TAMLYN (United States of America) said that her delegation would vote against the draft resolution, which it saw as providing countries with a pretext for failing to respect the human rights of their citizens by placing the blame on external factors. Moreover, it wished to point out that the fifth preambular paragraph seriously misquoted the Declaration and Programme of Action of the World Conference on Human Rights; that, contrary to the statement in operative paragraph 3, nothing in the international human rights instruments precluded the adoption of sanctions under domestic law; that paragraph 4 wrongly implied that the right to self-determination included a right to trade and economic relations; and that paragraph 5 incorrectly involved the Commission on Human Rights in issues of trade and economics. Lastly, the United States did not recognize the concept of the right of individuals and peoples to development.

16. A recorded vote was taken on draft resolution A/C.3/51/L.65.

In favour: Afghanistan, Algeria, Bangladesh, Botswana, Brazil, Brunei Darussalam, Chile, China, Colombia, Costa Rica, Cuba, Democratic People's Republic of Korea, Dominican Republic, Ecuador, Gambia, Ghana, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mauritania, Mexico, Mongolia, Morocco, Myanmar, Nepal, Niger, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Peru, Russian Federation, Saudi Arabia, Singapore, Sudan, Suriname, Syrian Arab Republic, Tunisia, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zimbabwe.

Against: Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Marshall Islands, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uzbekistan.

Abstaining: Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Barbados, Belarus, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Côte d'Ivoire, El Salvador, Estonia, Fiji, Georgia, Guatemala, Honduras, Jamaica, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lesotho, Malawi, Malta, Mauritius, Micronesia (Federated States of), Mozambique, Namibia, Nicaragua, Panama, Philippines, Samoa, Sierra Leone, South Africa, Sri Lanka, Swaziland, Thailand, Togo, Trinidad and Tobago, Ukraine, Zambia.

17. Draft resolution A/C.3/51/L.65, as orally revised, was adopted by 54 votes to 44, with 49 abstentions.

18. Mrs. LIMJUCO (Philippines) said that her delegation had abstained in the voting on draft resolution A/C.3/51/L.65. While the Philippines sympathized with the general thrust of the resolution, it felt that the draft resolution currently before the plenary Assembly should have been taken into account. Her country had always taken a strong position against duplication of effort in the United Nations system.

19. Mrs. SMOLCIC (Uruguay) said that her delegation reserved the right to explain its position in the plenary Assembly.

Draft resolution A/C.3/51/L.71/Rev.1 on the strengthening of United Nations action in the human rights field through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

20. The CHAIRMAN said that the draft resolution had no programme budget implications and that Bolivia, Botswana, Congo, Ecuador, India, Niger and Yemen had become sponsors.

21. Mr. REYES RODRIGUEZ (Cuba) said that a new paragraph reproducing the wording of the sixth preambular paragraph of General Assembly resolution 50/174 had been inserted after the second preambular paragraph of the draft resolution. In paragraph 11, the phrase "to improve international cooperation to ensure the principles" had been replaced by the phrase "for the strengthening of United Nations action in the human rights field, including the promotion of international cooperation and the importance". The sponsors hoped that the draft resolution would be adopted by consensus.

22. Mr. JALLOW (Gambia) and Mrs. CASTRO de BARISH (Costa Rica) said that they wished to become sponsors.

23. Draft resolution A/C.3/51/L.71/Rev.1, as orally revised, was adopted.

Draft resolution A/C.3/51/L.40 on the situation of human rights in Iraq

24. The CHAIRMAN invited the Committee to take action on draft resolution A/C.3/51/L.40, which had no programme budget implications.

25. Ms. NEWELL (Secretary of the Committee) said that, in paragraph 4 of the draft resolution, the words "in northern Iraq" had been inserted after the word "forces" in the first line and deleted from the second line.

26. Mr. BYRNE (Ireland), speaking on behalf of the European Union, requested that action on the draft resolution be postponed in order to complete the relevant consultations.

Draft resolution A/C.3/51/L.59 on the situation of human rights in Kosovo

27. The CHAIRMAN said that the draft resolution had no programme budget implications and that Costa Rica, Croatia, Djibouti and Liechtenstein had become sponsors.

28. Ms. NEWELL (Secretary of the Committee) said that, in the fifth preambular paragraph of the draft resolution, the words "at its fifty-second session and" had been replaced by "and the resolution of", while the word "adopted" had been inserted after "Minorities," in the last line.

29. Mr. SEPELEV (Russian Federation) requested a recorded vote on the draft resolution.

30. Mr. AGGREY (Ghana), speaking in explanation of vote before the voting, said that, in the interests of efficiency and rationalization of work, the draft resolution on the situation of human rights in Kosovo should have been included

in the omnibus resolution on the situation of human rights in the former Yugoslavia (A/C.3/51/L.68).

31. Mrs. HADJI (Greece) said that it was a well-established principle that the rights of persons belonging to minorities should be fully respected, in accordance with international law and the relevant international instruments. It was essential that that principle be applied by all States, particularly in the Balkans. However, the promotion and protection of the rights of minorities should not be used as a pretext for advancing secessionist policies or changing long-established borders, as was happening in the Federal Republic of Yugoslavia. That could only create new problems in the Balkans and endanger the security and stability of the entire region. Her delegation's support for draft resolution A/C.3/51/L.59 was based on the aforementioned principles and on the position of the European Union on the question of Kosovo.

32. Mr. GUILLEN (Peru) said that, as in previous years, his delegation would abstain in the vote on the draft resolution because it did not consider it appropriate to express views on the situation of human rights in a specific region. In the case of Kosovo, the appropriate procedure had been established in General Assembly resolution 48/153, which covered the situation of human rights in the former Yugoslavia in its entirety.

33. A recorded vote was taken on draft resolution A/C.3/51/L.59.

In favour: Afghanistan, Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Canada, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Guyana, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mexico, Micronesia (Federated States of), Monaco, Morocco, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Paraguay, Poland, Portugal, Qatar, Republic of Korea, Samoa, San Marino, Saudi Arabia, Senegal, Slovenia, Solomon Islands, South Africa, Spain, Sudan, Suriname, Swaziland, Sweden, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan.

Against: India, Russian Federation, Saint Lucia.

Abstaining: Angola, Belarus, Bhutan, Botswana, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, China, Côte d'Ivoire, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guinea-Bissau, Jamaica, Kenya, Malawi, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Nigeria, Papua New Guinea, Peru, Philippines, Republic of Moldova, Romania, Sierra Leone, Singapore,

Slovakia, Sri Lanka, The former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Uganda, Ukraine, United Republic of Tanzania, Venezuela, Zambia. Zimbabwe.

34. Draft resolution A/C.3/51/L.59, as orally revised, was adopted by 102 votes to 3, with 45 abstentions.

35. Mr. SEPELEV (Russian Federation) said that his delegation had voted against the resolution because its text, which did not mention the State to which the territory in question belonged, did not conform to the principles governing the consideration of such issues in the United Nations. The basic provisions of the resolution could have been included in the omnibus resolution on the situation of human rights in the former Yugoslavia. The impression might be created that the world community tolerated ambiguities which could permit a distorted interpretation of the principle of territorial integrity.

36. Mr. BYRNE (Ireland), speaking on behalf of the European Union, said that the European Union had expressed concern about the human rights situation in Kosovo and had voted for the draft resolution. However, it had not sponsored the draft resolution because it felt that it should have been included in the general resolution on the situation of human rights in the former Yugoslavia. It hoped that that would be the approach taken at the next session of the General Assembly.

37. Mrs. ZHANG Fengkun (China), Mr. WISSA (Egypt), Mr. MUKHOPADHAYA (India) and Mrs. LIMJUCO (Philippines) said that their delegations reserved the right to make statements in the plenary Assembly concerning the resolution.

38. Mr. MENDEZ (Venezuela) said that his delegation had abstained from voting on the resolution, since it failed to take account of the political, economic and social progress that had been achieved in the region. The issue should have been dealt with in the context of the human rights situation in the former Yugoslavia.

39. Mr. NEIVA TAVARES (Brazil) said that although his delegation had voted in favour of the resolution, his Government felt that acknowledgement by the Committee of the progress made recently by Yugoslavia in the human rights field would encourage further positive developments.

40. Mr. STEFANOV (Bulgaria) said that his delegation would have been able to support the resolution had it been incorporated in the omnibus resolution on the situation of human rights in the former Yugoslavia. It had abstained because of its belief that particular regions within States should not be singled out as had occurred in the case of Kosovo. Besides, the adoption of consolidated texts could help to rationalize the Committee's work.

The delegation of Djibouti subsequently informed the Committee that it had intended to vote in favour of the draft resolution, and the delegation of Saint Lucia that it had intended to abstain.

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Draft resolution A/C.3/51/L.63 on the situation of human rights in Cuba

41. The CHAIRMAN said that the draft resolution had no programme budget implications and that Bulgaria, El Salvador, Poland, Moldova and The former Yugoslav Republic of Macedonia had become sponsors.

42. Mr. AL-HUMAIMIDI (Iraq) said that his delegation had been deprived of the right to vote because the current sanctions against Iraq had made it impossible for it to pay its assessed contributions to the United Nations. Had that not been the case, his delegation would have voted against the draft resolution.

43. Mr. REYES RODRÍGUEZ (Cuba), speaking in explanation of vote before the voting, said that the United States was once again forcing the Committee to vote on a draft resolution which formed part of its hostile policy towards the Cuban people. Considerable pressure had been applied to Governments the world over in an attempt to give legitimacy to an exercise which was completely devoid of credibility. While such pressure and blackmail could prevent Governments from casting their votes freely at the United Nations, they could not prevent the truth from being known.

44. Some States were sponsoring the draft resolution because they had the presumption to judge others and to act as the conscience of humankind; others because they were constrained by circumstances, being unable to resist the will of the super-Power; and others, like Uzbekistan, because they supported a genocidal policy which flagrantly violated the human rights of an entire people. It came as no surprise that the sponsors were basically States of the northern hemisphere, with the addition of Costa Rica, anxious perhaps to atone for its chairmanship of the Group of 77, and El Salvador which, with its sinister past and questionable present, was in no position to give lessons to anyone, least of all to a State where there had never been death squads or enforced disappearances and where political assassination had been eradicated 37 years previously.

45. History would remember those States which had refused to take part in that latest aggression against Cuba. His Government would never accept such a selective, discriminatory and unjust approach and it would never accept a special rapporteur, no matter what attempts were made to present the latter as neutral and independent. For all those reasons, his delegation would vote against the draft resolution.

46. A recorded vote was taken on draft resolution A/C.3/51/L.63.

In favour: Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mauritius, Monaco, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, The former Yugoslav Republic of Macedonia,

Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan.

Against: Angola, China, Congo, Cuba, Democratic People's Republic of Korea, El Salvador, Gambia, Ghana, India, Indonesia, Iran (Islamic Republic of), Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Myanmar, Namibia, Nigeria, Papua New Guinea, South Africa, Sudan, Syrian Arab Republic, Uganda, United Republic of Tanzania, Viet Nam, Zambia, Zimbabwe.

Abstaining: Algeria, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Colombia, Côte d'Ivoire, Dominican Republic, Egypt, Eritrea, Ethiopia, Fiji, Gabon, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Jamaica, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Lebanon, Malawi, Malaysia, Maldives, Mali, Mauritania, Mexico, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Nepal, Niger, Oman, Pakistan, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Suriname, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, Venezuela.

47. Draft resolution A/C.3/51/L.63 was adopted by 59 votes to 26, with 71 abstentions.

48. Mr. JALLOW (Gambia) said that his delegation had voted against the resolution. The Government of Cuba had made every effort to maintain peace and progress in that country and to work closely and amicably with the international community.

49. Mrs. MORGAN (Mexico) said that her delegation had abstained from voting on the resolution because international cooperation in the field of human rights should be balanced and global, should be guided by the principles of objectivity, non-selectivity and universality and should take account of the indivisibility of human rights.

50. Mr. PACE (Malta) said that his delegation, in voting for the resolution, had reaffirmed Malta's unwavering commitment to universal respect for human rights. Although his Government had noted significant progress in Cuba in recent years, particularly concerning social and economic rights, it felt that such progress needed to be matched by significant advances in civil and political rights.

51. Mrs. CASTRO de BARISH (Costa Rica) said that Costa Rica had sponsored the resolution in exercise of its sovereign rights and not out of any desire to

* The delegation of El Salvador subsequently informed the Committee that it had intended to vote in favour of the draft resolution.

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"atone for its chairmanship of the Group of 77", as had been suggested by the representative of Cuba. Her delegation reserved the right to speak on the issue in the plenary Assembly.

52. Mr. MELENDEZ-BARAHONA (El Salvador), referring to the statement by the representative of Cuba, recalled that, in the past, the Commission on Human Rights had appointed Special Representatives to investigate violations of human rights and fundamental freedoms in El Salvador. His country had undergone a painful and difficult transformation over the past 15 years, leading to a successful peace process and the establishment of a pluralistic, democratic political system. El Salvador did not claim to have found solutions to all its problems, but with the help of the international community, it had come a long way towards guaranteeing the enjoyment of democracy and human rights for all its citizens. He agreed with the representative of Cuba that El Salvador's current situation was "questionable", in the sense that his country did not have all the answers, but his Government was endeavouring to ensure that all its people could fully enjoy their political, economic and social rights.

Draft resolution A/C.3/51/L.69 on the situation of human rights in Myanmar

53. The CHAIRMAN said that the draft resolution had no programme budget implications and that Australia, Canada, Lithuania, Monaco and the United Kingdom had become sponsors.

54. Mr. RÖNQVIST (Sweden) said that in the ninth preambular paragraph, the words "recent aggression committed against" had been replaced by "attack, on 9 November 1996, on", and in paragraph 7, the words "cooperate fully with the Secretary-General" had been replaced by "allow a visit by the representative of the Secretary-General as soon as possible".

55. Mr. MRA (Myanmar) said that his delegation was greatly disturbed by draft resolution A/C.3/51/L.69, which was thoroughly negative and based on unsubstantiated allegations, as the previous year's resolution had been. It failed to recognize the significant progress that had been made in Myanmar, particularly with regard to national reconciliation. Moreover, the cessation of hostilities and reintegration of members of 15 armed groups, as recognized in paragraph 17 of General Assembly resolution 50/194, had been played down in the latest resolution, demonstrating the sponsors' reluctance to acknowledge his country's achievements. The sponsors had taken into account the interests of only one individual or party and seemed to assume that pressure must be maintained on his Government. However, his Government would never yield to outside pressure.

56. The draft resolution reflected a number of misconceptions about the situation in his country. The ninth preambular paragraph notwithstanding, no mass arrests had taken place. The National League for Democracy (NLD) had not organized large gatherings of people simply for the purposes of peaceful assembly, but rather to disrupt the ongoing National Convention process and draw up a parallel constitution. Such acts were tantamount to obstructing the development of a genuine system of multiparty democracy and the successful performance of the functions of the National Convention. The Government had been left with no alternative but to take preventive measures and bring some NLD members in for questioning. The fact that the Government had managed to improve

the situation in his country over the past eight years had been due to its painstaking, systematic efforts, and no single party could be allowed to disrupt the progress made. The NLD leadership had used dubious methods to exploit for political ends international misconceptions about Myanmar. There were no restrictions on any political leaders, a fact that could easily be verified.

57. With reference to the tenth preambular paragraph of the draft resolution, he stressed that the withdrawal and exclusion of NLD from the National Convention had been the result of its own unilateral action: having absented itself without notification for a specific period, it had been automatically expelled.

58. The eleventh preambular paragraph ignored the ongoing, successful National Convention process and conveyed a biased view of what was taking place in the country's political process. His Government believed that the National Convention offered the best forum for that process by allowing representatives from all sectors of society to take an active part in formulating a new and enduring constitution. In view of the success of that process, the deliberately misleading assertion that his Government had failed to open a political dialogue was unacceptable.

59. The twelfth preambular paragraph merely repeated the stale allegations made in previous resolutions on Myanmar. Those allegations were unsubstantiated and invariably emanated from anti-Government sources. The Government had responded to all such allegations when they had been made through the Commission on Human Rights and the Centre for Human Rights. The twelfth preambular paragraph also contained a reference to deaths in custody. Such deaths occurred all over the world. If the intention was to refer to the death of Mr. Nichols, his Government considered that case closed.

60. His delegation categorically rejected the Special Rapporteur's observation, referred to in the thirteenth preambular paragraph, that the absence of democratic governance was at the root of all the major violations of human rights in Myanmar. That observation was based on information received from dubious sources. Any consideration of human rights should take into account all aspects of such rights, including the right to live in peace and security and the right to necessities such as food, clothing and shelter, rights to which his Government was giving priority.

61. Paragraph 1 urged the Government of Myanmar to cooperate with the Special Rapporteur. His Government had been cooperating to the fullest extent possible. However, the requests made by the Special Rapporteur to his Government must be practicable. His delegation found paragraph 4 unacceptable and highly intrusive. His Government would not be selective in carrying out its responsibility to maintain public peace and order.

62. Paragraph 7 contained references to the discussions between Myanmar and the Secretary-General. His country's willingness to continue its dialogue with the United Nations was a matter of record. However, the intent of paragraph 7 appeared to conflict with the spirit of paragraph 17. The outcome of the national reconciliation process rested entirely with the Government and people of his country, not with any outside individual or entity such as the representative of the Secretary-General.

63. The sponsors' attempt, in paragraph 8, to introduce non-governmental organizations as a factor in Myanmar's political process was unacceptable. His Government was, in any case, well aware of the valuable role played by such organizations. The suggestion in paragraph 11 that there as no right to a fair trial in Myanmar was misleading, since civil and criminal procedures were followed scrupulously.

64. The draft resolution as a whole was unacceptable to his delegation, since it was both negative and intrusive and failed to recognize the progress made. His delegation therefore disassociated itself from it.

65. Draft resolution A/C.3/51/L.69 was adopted without a vote.

66. Mr. AQUARONE (Netherlands) said that his delegation was following the human rights situation in Myanmar closely and with increasing concern. Since it had felt that the resolution did not fully reflect the reality in that country, where both the human rights situation and the Government's cooperation with the Special Rapporteur and the Secretary-General's representative had deteriorated in the past year, his delegation had not sponsored the draft resolution.

67. Ms. SAIGA (Japan) urged the Government of Myanmar to cooperate with the United Nations by responding to the resolution, which reflected the concerns of the international community.

Draft resolution A/C.3/51/L.67 on the comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action

68. The CHAIRMAN said that the draft resolution had no programme budget implications and that the following countries had become sponsors: Albania, Andorra, Bahamas, Belarus, Cambodia, Chile, Congo, Costa Rica, Croatia, Czech Republic, Dominican Republic, Ecuador, France, Gambia, Georgia, Ghana, Guinea, Guinea-Bissau, Haiti, Kenya, Luxembourg, Mongolia, Morocco, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, San Marino, Solomon Islands, United Kingdom and Zambia.

69. Ms. NEWELL (Secretary of the Committee) said that the title of the draft resolution had been omitted and should read "Comprehensive implementation of and follow-up to the Vienna Declaration and Programme of Action". Paragraph 7 should be deleted.

70. Draft resolution A/C.3/51/L.67 was adopted without a vote.

The meeting rose at 12.50 p.m.

UNITED NATIONS

General Assembly
FIFTY-FIRST SESSION
Official Records

THIRD COMMITTEE
55th meeting
held on
Wednesday, 27 November 1996
at 3 p.m.
New York

SUMMARY RECORD OF THE 55th MEETING

Chairman: Mrs. ESPINOSA (Mexico)

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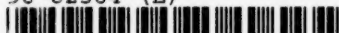
AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS:

- (b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
(continued)
- (c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued)

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The meeting was called to order at 3.30 p.m.

AGENDA ITEM 110: HUMAN RIGHTS QUESTIONS:

- (b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS
(continued) (A/C.3/51/L.70/Rev.1)
- (c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/C.3/51/L.40, L.43, L.44, L.61, L.64/Rev.1, L.66, L.68)

Draft resolution A/C.3/51/L.70/Rev.1

1. The CHAIRMAN informed the Committee that draft resolution A/C.3/51/L.70/Rev.1, entitled "United Nations Decade for Human Rights Education and public information activities in the field of human rights", had no programme budget implications.
2. Ms. DE WET (Namibia) announced that Bangladesh, Botswana, Canada, France and the Netherlands had become sponsors of the draft resolution. She then orally revised the draft resolution as follows: in the eighth preambular paragraph, the words "their full human rights" were to be replaced by the words "all their human rights"; in operative paragraph 3, after the words "by establishing", the words "in accordance with national conditions" were to be inserted and the words "as agents for" were to be replaced with the words "to work towards"; a new operative paragraph was to be inserted after paragraph 5, reading: "6. Welcomes the efforts made by the United Nations High Commissioner for Human Rights with the Department of Public Information of the Secretariat to increase cooperation with the media, including by the provision of timely and relevant information on human rights issues;" and the subsequent paragraphs were to be renumbered accordingly; and in operative paragraph 10 (former paragraph 9), the words "existing human rights monitoring bodies and special rapporteurs" were to be replaced with the words "human rights mechanisms".
3. Draft resolution A/C.3/51/L.70/Rev.1, as orally revised, was adopted.
4. Ms. SAIGA (Japan) said that she had supported the proposed text, but with reservations stemming essentially from the fact that the draft resolution merged two distinct issues which, although closely related, were equally important and should not be confused with one another. Human rights education was a fundamental issue meriting its own separate resolution. Japan had created a commission to promote human rights education, chaired by the Prime Minister; that commission was in the process of formulating a national plan of action for the Decade and had also launched a range of activities pursuant to General Assembly resolution 50/177. It might now have to modify ongoing programmes to take account of the new elements introduced by the resolution which had just been adopted. Moreover, while the merger of the two issues would allow the organization of activities to be rationalized to a certain degree, it also created extra work, since the issue of information activities in the field of human rights would have to be examined yearly, instead of every two years as it was at present.

5. The CHAIRMAN announced that Mali had asked to join the sponsors of the draft resolution, but that that was not permissible under the Committee's rules of procedure because the resolution had already been adopted.

Draft resolution A/C.3/51/L.61

6. The CHAIRMAN informed the Committee that Monaco, Romania, Slovakia and the former Yugoslav Republic of Macedonia had become sponsors of draft resolution A/C.3/51/L.61, entitled "The situation of human rights in the Sudan" and that the draft resolution had no programme budget implications.

7. Ms. WAHBI (Sudan) explained that her delegation had been forced to resort to requesting a recorded vote on the draft resolution because, despite all its efforts, the concerns expressed by the Sudan had not been duly accommodated in the draft. She stressed that cooperation and coordination, not confrontation and predetermined condemnation, were the only viable path if the international community genuinely wanted to achieve concrete results in the field of human rights. The Sudan was unreservedly committed to respect for and the promotion and protection of human rights. It was working and would continue to work to that end. However, under no circumstances would it accept the use of human rights issues as a means of political pressure or as a tool to compromise its sovereignty and principles and its commitment to respect all the human rights of its citizens.

8. Mr. AL-HUMAIMIDI (Iraq), speaking in explanation of vote before the voting, said that if Iraq had had the right to vote (which it had lost because of its failure to pay its assessed contribution), his delegation would have been voting against the draft resolution, which was essentially politically motivated and in no way served the case of human rights.

9. Mr. WISSA (Egypt), reserving the right to make a general statement on the draft resolution in the plenary Assembly, said that he would abstain in the voting, for while human rights must absolutely be respected by all countries, the conduct of States in that regard must also be judged non-selectively. New criteria were being applied which had not received unanimous support in the Commission on Human Rights. Egypt rejected any interference in the internal affairs of a country and was categorically opposed to sending human rights observers to the Sudan, a measure that should be envisaged only after consulting that country and directly obtaining its consent. Egypt could not accept any measure that might threaten the unity and territorial integrity of that State.

10. Ms. WAHBI (Sudan) reserved the right to explain in the plenary Assembly the position that she would take in the vote on the draft resolution.

11. At the request of the representative of the Sudan, a recorded vote was taken on draft resolution A/C.3/51/L.61.

In favour: Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Barbados, Belarus, Belgium, Belize, Bolivia, Botswana, Brazil, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Dominican Republic, El Salvador, Ecuador, Eritrea, Estonia, Ethiopia, Finland, France, Georgia, Germany, Greece,

Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Jamaica, Japan, Kazakstan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Namibia, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia, Zimbabwe.

Against: China, Comoros, Cuba, India, Indonesia, Iran (Islamic Republic of), Jordan, Libyan Arab Jamahiriya, Myanmar, Nigeria, Pakistan, Qatar, Saudi Arabia, Sudan, Syrian Arab Republic, Viet Nam.

Abstaining: Afghanistan, Algeria, Bahrain, Bangladesh, Benin, Bhutan, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Côte d'Ivoire, Democratic People's Republic of Korea, Egypt, Fiji, Gabon, Ghana, Guinea, Guinea-Bissau, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Malaysia, Maldives, Mali, Mauritania, Morocco, Mozambique, Nepal, Niger, Oman, Papua New Guinea, Philippines, Republic of Korea, Saint Lucia, Senegal, Sierra Leone, Sri Lanka, Swaziland, Thailand, Tunisia, United Arab Emirates.

12. Draft resolution A/C.3/51/L.61 was adopted by 93 votes to 16, with 45 abstentions.

13. Mr. JOYENDA (Afghanistan) informed the Committee that he had intended to vote against the draft resolution.

14. Mr. AMEGBLEAME (Togo) said that his vote, an abstention, had not been recorded.

Draft resolution A/C.3/51/L.64/Rev.1

15. The CHAIRMAN announced that the following countries had become sponsors of draft resolution A/C.3/51/L.64/Rev.1, entitled "Situation of human rights in Rwanda": Andorra, Austria, Belgium, Benin, Cambodia, Chile, Denmark, Finland, France, Germany, Greece, Ireland, Israel, Italy, Luxembourg, Netherlands, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Spain, Sweden, The former Yugoslav Republic of Macedonia, Tunisia, United Kingdom of Great Britain and Northern Ireland and United States of America. She also noted that the draft resolution had no programme budget implications.

16. Draft resolution A/C.3/51/L.64/Rev.1 was adopted without a vote.

Draft resolution A/C.3/51/L.66

17. The CHAIRMAN announced that the following countries had become sponsors of draft resolution A/C.3/51/L.66, entitled "Rape and abuse of women in the areas of armed conflict in the former Yugoslavia": Afghanistan, Andorra, Argentina, Austria, Azerbaijan, Belgium, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Djibouti, Dominican Republic, Egypt, Ecuador, Finland, France, Gambia, Germany, Greece, Hungary, Ireland, Israel, Italy, Latvia, Liechtenstein, Luxembourg, Mauritania, Monaco, Mozambique, Nepal, New Zealand, Norway, Panama, Philippines, Portugal, Qatar, Republic of Korea, Singapore, Solomon Islands, Spain, Sudan, Sweden, The former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, United States of America and Yemen. She also noted that the draft resolution had no programme budget implications.

18. Ms. NEWELL (Secretary of the Committee) said that the sponsors had made some changes to the draft resolution: in the sixth preambular paragraph, the words "which has been used" had been deleted before the words "in fulfilling the policy of ethnic cleansing"; the words "including by providing full access" had been added at the end of paragraph 10; in paragraph 12, the words "as appropriate" had been deleted; and paragraph 13 had been deleted.

19. Mr. BYRNE (Ireland), speaking on behalf of the European Union, said that he endorsed the draft resolution but felt that that very serious issues would have been more appropriately addressed in the draft resolution on the situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) (A/C.3/51/L.68). He hoped that that would be the case at the fifty-second session, since it was very important not to lose sight of the issue.

20. Draft resolution A/C.3/51/L.66 was adopted without a vote.

Draft resolution A/C.3/51/L.68

21. The CHAIRMAN announced that Australia, Austria, Bangladesh, Belgium, Canada, Chile, Costa Rica, Denmark, Finland, France, Germany, Iceland, Iran (the Islamic Republic of), Ireland, Italy, Jordan, Kuwait, Lithuania, Luxembourg, Malaysia, Monaco, Netherlands, New Zealand, Norway, Portugal, San Marino, Senegal, Spain, Sweden and the United Kingdom of Great Britain and Northern Ireland had become sponsors of draft resolution A/C.3/51/L.68, entitled "Situation of human rights in the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro)". The draft resolution had no programme budget implications.

22. Mr. KUEHL (United States of America) said that some changes had been made to the draft resolution by its sponsors: in the thirteenth preambular paragraph, the words "the relevant successor States of the former Yugoslavia" had been replaced with the words "all parties to the Peace Agreement"; the fourteenth preambular paragraph had been replaced with two new preambular paragraphs drawn from General Assembly resolution 50/193:

"Encouraging the international community, acting through the United Nations and other international organizations as well as bilaterally, to enhance significantly humanitarian support for the people of the region and promote

human rights, economic reconstruction, the repatriation of refugees and the holding of free elections in Bosnia and Herzegovina,

Welcoming the efforts of the European Union to promote respect for human rights and fundamental freedoms, and endorsing the Special Rapporteur's recommendation that economic and other aid must be made conditional on meaningful progress on human rights,".

The end of the last preambular paragraph should read: "especially resolutions 1009 (1995) of 10 August 1995 and 1079 (1996) of 15 November 1996,"; and in paragraph 11, the words "free determination and full participation by" had been deleted and the words "to participate freely and fully" had been inserted between the words "in Kosovo" and the words "in the political ...".

23. Mr. MATESIC (Croatia) reserved the right to make a general statement on the draft resolution in the plenary Assembly.

24. Mr. BYRNE (Ireland), speaking on behalf of the European Union, said that while the European Union endorsed the proposed text, it nevertheless had reservations with respect to the designation "Federal Republic of Yugoslavia (Serbia and Montenegro)", which had not been used by the Special Rapporteur and was not in conformity with the General Framework Agreement for Peace in Bosnia and Herzegovina (the Dayton Agreement), Security Council resolutions or the conclusions of the meeting of the Steering Board and of the Presidency of Bosnia and Herzegovina held in Paris on 14 November 1996. That designation should not create a precedent.

25. Mr. BUSHMARINOV (Russian Federation) proposed that a new preambular paragraph should be inserted after the second preambular paragraph, to read:

"Reaffirming the territorial integrity of Croatia, Bosnia and Herzegovina and the Federal Republic of Yugoslavia,".

26. Mr. KUEHL (United States of America) said that he was categorically opposed to the amendment proposed by the representative of the Russian Federation, since there was nothing in the draft resolution that called into question the territorial integrity of the States mentioned.

27. Mr. KONDI (Albania) said that he objected to the introduction, at such a late stage, of an amendment of that kind, which was not justified in a resolution concerning human rights.

28. Mr. BYRNE (Ireland), speaking on behalf of the European Union, proposed that action on the amendment proposed by the representative of the Russian Federation should be deferred.

29. Mr. HOLMES (Canada) endorsed the proposal by the representative of Ireland.

The meeting was suspended at 4.35 p.m. and resumed at 5.25 p.m.

Draft resolution A/C.3/51/L.40

30. The CHAIRMAN announced that Andorra, Argentina, the Czech Republic, Israel, Japan, Poland, San Marino and the United States of America had become sponsors of draft resolution A/C.3/51/L.40, entitled "Situation of human rights in Iraq". Kyrgyzstan was not a sponsor of the draft resolution.

31. Ms. NEWELL (Secretary of the Committee) said that the sponsors of the draft resolution had made the following changes: paragraph 4 had been deleted; in paragraph 12, the word "subcommittees" should be in the singular.

32. Mr. AL-HUMAIMIDI (Iraq) refuted in detail the charges levelled against his Government in the draft resolution, especially in the fifth, sixth, seventh and eighth preambular paragraphs and in paragraphs 2, 3, 5, 6, 7, 10 and 12. Iraq had complied fully with Security Council resolutions 687 (1991), 688 (1991) and 986 (1995). It was cooperating closely with humanitarian organizations, including the International Committee of the Red Cross (ICRC), the Office of the United Nations High Commissioner for Refugees (UNHCR) and various governmental and non-governmental organizations; it had also cooperated with the United Nations in arriving at the "food for oil" formula. He reaffirmed his Government's commitment to implementing the memorandum of understanding which it had reached with the Secretary-General in May 1996 and regretted deeply that the United States of America was impeding the implementation of the memorandum, thereby making itself responsible for the suffering of the Iraqi people. His Government was nevertheless making every effort to ensure that foodstuffs were distributed efficiently and equitably throughout the country, as the Food and Agriculture Organization of the United Nations (FAO), the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), among others, had explicitly noted.

33. Moreover, as the decrees prescribing punishment for certain offences had been abrogated, the Government was cooperating unreservedly with United Nations bodies, to which it was regularly submitting the reports requested. However, the Special Rapporteur of the Commission on Human Rights, who was systematically hostile to Iraq, never took the trouble to verify whether his allegations were well founded and took no account of the progress it had achieved in establishing democracy and protecting human rights. Iraq was categorically opposed to the stationing of human rights monitors in its territory, which would amount to serious interference in its internal affairs. It cooperated with the Tripartite Commission and its subcommittee by providing them with all the information it had in order to help them trace Kuwaitis reported missing after the Gulf War. Denouncing the political and biased nature of the draft resolution, which was designed to allow interference in Iraq's internal affairs more than to promote human rights, he requested a recorded vote and invited all Member States to vote against the proposed resolution or to abstain.

34. Mr. WISSA (Egypt), reserving the right to make a general statement in the plenary Assembly, said that he would abstain from voting. Deeply committed to fundamental rights and freedoms - which should be protected by all countries without exception - Egypt requested Iraq to respect those rights and to release immediately all Kuwaitis who were still detained. However, it should be noted that the Commission on Human Rights tended to take action on the basis of criteria that were not very objective and to exceed its mandate, particularly in

regard to the sending of human rights monitors to Iraq, which required the prior agreement of the country concerned. Categorically opposed to any interference in the internal affairs of States, Egypt could in no way approve a measure that was likely to infringe on the territorial integrity of Iraq.

35. Mr. REYES RODRIGUEZ (Cuba) said that the sanctions imposed against Iraq were having a serious impact on the country's people, particularly on the most vulnerable groups. In recent months the situation had deteriorated still further. While the international community was seeking to resolve the situation together with Iraq, the United States, which considered itself the "policeman of the world" was renewing its aggressive stance towards Iraq, against which it was taking action contrary to the Charter of the United Nations and to international law. His Government, which was deeply committed to the principles governing international relations, reaffirmed that the independence, sovereignty and territorial integrity of all States must be respected without exception. That was not the thrust of the draft resolution; it served neither the cause of peace nor that of human rights.

36. Mr. AL-HUMAIMIDI (Iraq) reaffirmed that there were no Kuwaiti prisoners in Iraq and that his Government was duly assisting the search for the Kuwaitis reported missing.

37. Ms. AL-AWADI (Kuwait), speaking on a point of order, stressed that the Secretary-General himself had noted in his most recent report on the work of the Organization (A/51/1) that Iraq was still holding more than 600 prisoners, including Kuwaitis.

38. Mr. AL-HUMAIMIDI (Iraq), speaking on a point of order, noted that the remarks of the representative of Kuwait were not merely procedural, contrary to what she had indicated.

39. Ms. AL-AWADI (Kuwait) replied that, since the representative of Iraq did not have the right to vote, he was not authorized to make a statement either.

40. The CHAIRMAN confirmed that the representative of Iraq had the right to make a statement.

41. At the request of the representative of Iraq, a recorded vote was taken on draft resolution A/C.3/51/L.40.

In favour: Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Kazakhstan, Kuwait, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Mozambique, Netherlands, New Zealand, Nicaragua, Norway,

Paraguay, Peru, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, San Marino, Saudi Arabia, Senegal, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, The former Yugoslav Republic of Macedonia, Trinidad and Tobago, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Zambia.

Against: Libyan Arab Jamahiriya, Sudan.

Abstaining: Afghanistan, Algeria, Bahrain, Bangladesh, Benin, Brunei Darussalam, Burkina Faso, Burundi, Cape Verde, China, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Ethiopia, Gabon, Ghana, Guinea, Guinea-Bissau, India, Indonesia, Jordan, Kenya, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Malaysia, Mali, Mauritania, Morocco, Myanmar, Namibia, Nepal, Niger, Nigeria, Pakistan, Papua New Guinea, Philippines, Sierra Leone, Singapore, Sri Lanka, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Viet Nam, Zimbabwe.

42. Draft resolution A/C.3/51/L.40 was adopted by 102 votes to 2, with 51 abstentions.

43. Mr. SOUSA (Portugal) wished the record to reflect that his delegation was in favour of the draft resolution.

44. Mr. MEKDAD (Syrian Arab Republic) explained that he had abstained from voting because beyond the fact that the draft resolution did not objectively reflect the situation prevailing in Iraq, it again raised the question of sending human rights monitors there. And yet, like the creation of a security zone in the north of the country, the presence of such monitors would constitute interference in the internal affairs of Iraq, a threat to its territorial integrity and a derogation of the principles of the Charter of the United Nations.

45. Mr. WAHBI (Sudan) said that he had voted against the proposed text because it was based on political considerations. It was to be hoped that Kuwait and Iraq would arrive at a negotiated solution that would preserve their unity and territorial integrity, which Sudan considered inviolable.

46. Ms. AL-AWADI (Kuwait) requested permission to speak in order to explain her delegation's vote in favour of the draft resolution.

47. The CHAIRMAN said that, as a sponsor of the proposed text, the Kuwaiti delegation could not speak in explanation of vote but rather could make a general statement only.

48. Ms. AL-AWADI (Kuwait) said that the presence of Kuwaiti prisoners in Iraq was confirmed by the Secretary-General himself, who noted that "more than 600 Kuwaiti and third-country nationals [were] still missing in Iraq" (A/51/1,

para. 829) and that "the easing or lifting ... of sanctions against Iraq ... [was] blocked by [its] continuing failure to comply with a number of obligations in the relevant Security Council resolutions" (para. 807). As the International Committee of the Red Cross had noted with great disappointment, the Tripartite Commission responsible for the question of military and civilian prisoners of war reported missing had not achieved any concrete results in the meeting it had held in Geneva on 16 and 17 October 1996.

Draft decision A/C.3/51/L.43 and draft resolution A/C.3/51/L.44

49. The CHAIRMAN, based on the positions taken during in-depth consultations held on draft decision A/C.3/51/L.43 and draft resolution L.44, both of which concerned the situation of human rights in Estonia and Latvia, proposed a draft decision with the following text:

"The General Assembly, having concluded the consideration of the question on the basis of the information provided by the United Nations High Commissioner for Human Rights, on behalf of the Secretary-General, pursuant to its resolution 48/155 entitled "Situation of human rights in Estonia and Latvia", welcomes and encourages the activities undertaken and being undertaken in this regard by relevant regional and international organizations, including the Organization for Security and Cooperation in Europe, as well as the measures by the Governments of Estonia and Latvia in implementation of the recommendations of those organizations.

50. The draft decision proposed by the Chairman was adopted.

The meeting rose at 6.20 p.m.